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CIVIL LIBERTY

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LOWER CANADA.

BY

SIR A. T. GALT, K.C.M.G.

Montreal :

D. BENTLEY & CO., PRINTERS, 364 NOTRE DAME STREET.

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CIVIL LIBERTY IN LOWER CANADA.

In the recent debate upon Mr. Huntingdon's Argenteuil speech, Mr. Masson referred to the part I had taken in regard to the measure of Confederation, and to the safeguards which I insisted on, as representing the Protestant minority in Quebec,—arguing that these precautions were uncalled for in themselves, and almost humiliating to them (the French Roman Catholics) to grant. The position was also taken by himself and other speakers that the attitude recently assumed by the Roman Catholic Hierarchy concerned the members of their communion only, and afforded no just grounds for apprehension or animadversion on the part of any Protestant.

At the date of the discussion on Confederation, it may be admitted that appearances justified great confidence in the liberal and generous action of the French Canadian majority. Politically they had been for many years under the leadership of men of known and tried liberality. Lafontaine, Morin, and Cartier, were names synonymous with upright dealing and even-handed justice, irrespective of race or religion. Whilst at the same time the course of the Roman Catholic Hierarchy and Clergy had ever been distinguished by such devotion to their duty of inculcating piety and virtue, and such moderation towards all who differed with them, that it may

truly be said they had earned the respect and confidence of all. Notwithstanding the apparent absence of danger, it became my duty to ask and to obtain certain guarantees on two points: Education and Representation,—for which measures, supposed to be adequate, were adopted.

The status thus created might, I think, have lasted for generations, had it not been for the extraordinary claims recently advanced by the Roman Catholic Hierarchy of Quebec, based as they allege upon the authority of the Vatican Decrees and the celebrated Syllabus, though unsupported by Archbishop Lynch, of Ontario, and certainly unclaimed by His Eminence Cardinal Manning, in his recent controversy with Mr. Gladstone. These claims, I confess, filled my mind with uneasiness many months ago: they pointed to the extinction of all free thought and action on the part of our Roman Catholic fellow subjects, and ultimately tended to the neutralization of the safeguards held by the Protestants, especially in the matter of Representation. So much was I disturbed by these reflections that in May last, immediately after the publication of Monseigneur Bishop Bourget's pastoral, and before the Quebec elections, I addressed the following letter to the Hon. Mr. Robertson, then Treasurer of Quebec:—

MONTREAL, 31st May, 1875.

MY DEAR ROBERTSON,

On my return from the West, I am much concerned to observe the attitude taken by the Ultramontane Party, not only towards liberal Roman Catho-

lies, but also towards us Protestants. I refer more immediately to the manifesto by the Roman Catholic Bishop of Montreal, but remotely, though not less directly, to the ecclesiastical pressure which has been put upon the press of the country, and the claim advanced, with ever-increasing arrogance, to the right of the Roman Catholic Church and its hierarchy to control and direct the scope of political action and public law within the Province of Quebec, treating it as their own peculiar domain, and regarding us as strangers and aliens, holding no status of our own, but simply tolerated in their midst.

These pretensions we could afford to view with indifference, if they were only those of a few ambitious priests; but, unfortunately, the Vatican Decrees have announced, as the future policy of the Church of Rome, the complete subordination of all the members of that communion to the control and direction of the Pope. And the celebrated Syllabus sufficiently discloses the design that the regulation of faith and morals is to be extended to embrace the whole field of human thought and action.

That these views and ulterior aims are repugnant to the convictions of by far the larger number of the Roman Catholic clergy of Lower Canada, I firmly believe. Many years of intimate acquaintance with them long since satisfied me that, as a body, they were highly estimable men, conscientious and scrupulous in the discharge of their duties, and tolerant of the claims of others. As a natural consequence, a freedom of thought sprang up among the laity, and was shewn in the public utterances of their press, which held forth the hope that the liberal views of the so-called Gallican Church would ever prevail in Lower Canada, and that Protestant and Catholic would alike respect their several opinions, cordially uniting in all that concerned the prosperity of their common country, without either Church claiming undue supremacy, or introducing the fatal element of religious strife.

These expectations, I regret to say, cannot, I think, be any longer safely held, nor ought we to accept the

past as a guarantee for the future. The object seems at this time to extend no further than the complete subjection of the section of the Roman Catholic party who do not accept the extreme views enunciated at Rome; and partly through fear, but greatly through the indirect allurements of future political power, it seems not unlikely that the Ultramontanes will overcome their opponents, if we Protestants continue to lend them our powerful aid. The contest must appear to them hopeless when they find arrayed against them all the religious forces of their own Church, and the influence of those who ought to sympathize with their desire to be free from ecclesiastical tyranny.

What we have to dread is the action of the formidable Church party, after it has brought into harmony with itself all the members of its own Church—all those of French-Canadian origin. Our turn will then come, and, having under their control the whole machinery of Legislative and Executive power, the rights we enjoy and the safeguards we possess will be, one by one, attacked, until our position will be so intolerable as to induce us to become, as their organs even already term us, aliens or strangers; or force on us such a physical contest as must be most deplorable.

To say that I had any fear of the ultimate result of the present attempt to make Lower Canada a Province of Ecclesiastical Rome, would be untrue. The strength of the Protestant Church in the Dominion, and on this Continent, renders it beyond all doubt, where the final victory must rest, but grievous injury must meantime arise, not the least of which will be the blight that will fall on the prosperity of the people by the mental subjugation of so large a part of our Roman Catholic fellow subjects.

Ordinary party politics lose all their significance in the presence of a contest which involves the right of holding any opinions at all hostile to the Roman Catholic hierarchy—and much reflection has convinced me that we shall be false to our own immediate and future interests, if we hesitate in now repudiating in the most decided manner the threatened encroachments upon

the rights of our Roman Catholic fellow citizens, equally as if our own were at this moment attacked.

As the representatives in the Government, of the British Protestant element, I address you and Dr. Church and ask you to obtain from Mr. de Boucherville and your Roman Catholic Colleagues a public and explicit declaration that they reject and refuse to acknowledge the authority claimed for his church by the Roman Catholic Bishop of Montreal, in all matters pertaining to public law and the government of the country, and that religious belief shall never be made the ground for interference by the Roman Catholic majority, but that Catholic and Protestant, French Canadian and British shall ever be maintained in their equal and co-ordinate rights.

Without such a declaration for the re-assurance of our minds, and which will place your Government equally with your opponents on a footing of decided independence of the Church, I think you should not obtain the support of the Protestants of Lower Canada.

In my retirement from public life, I certainly thought that the party with whom I had so long acted in Quebec, and who had with me provided for the future security and independence of both Catholic and Protestant, French Canadian and British, in the Act of Confederation, would have been the last to assail those safeguards. But the lamented death of Sir George Cartier has left this party to fall under the baneful influence of foreign intrigue, and it may well be that I shall have once more to enter the arena of political strife, to protect those interests which I am so responsible for creating.

Meantime, I have the conviction that you will be able to avert the impending disruption of our former party alliances, and maintain the supremacy of law and of public opinion over the dictum of any one, be he priest or layman ; or, failing this, that you will take the lead in withdrawing the support of British Protestants from the Government of Mr. de Boucherville.

Yours sincerely,

A. T. GALT.

To which the following reply was made :—

QUEBEC, *5th June, 1875.*

MY DEAR SIR ALEXANDER,

Yours of the 31st Oct. is before me, and I embrace the earliest possible moment after the adjournment of Council to reply. I thought it better after Conference with my Colleague, Dr. Church, to bring the matter up before the Council, and there to invite the fullest and frankest discussion. I represented that there was a certain portion of the Protestant population who feared that the Roman Catholic Priesthood were assuming an arrogant and intolerant spirit towards the Protestant Minority and that it was feared that the Church as a Church would assume to itself to dictate a political policy and to enforce this policy by means which the Protestant people consider very objectionable, and that in the last result, the rights of the minority would be invaded and overturned. I purposely put the case as strongly as possible, read your letter to me,—and illustrated it by such instances as occurred to me, of what were supposed to be manifestations of such intentions, and particularly referred to the late pastoral letter of Bishop Bourget.

I pretty well knew, from an association of some years with Mr. De Boucherville, and of several months with my other Roman Catholic Colleagues, in what way these representations would be received. They one and all disclaimed any intention to disturb in any way whatsoever the vested Constitutional rights and safeguards guaranteed the Protestants of Lower Canada, pointed out that any such attempt must end disastrously to them or any political party attempting it, and assured me that in no way, directly or indirectly was it contemplated to legislate away, restrict or alter the present status of Protestants in this Province. That all that might be claimed for the Roman Catholic Church, would be conceded to the Protestant Establishments, and that the present condition of affairs should be maintained in its integrity. The Premier will make a declaration at St. Croix to-morrow on this subject, the

subject of which will be as follows: "Inasmuch as in this Province we have different races, and different religions, in Legislation as in the Administration of the Law, it is important that the rights of privileges of each be guaranteed without distinction of origin or creed. The present Government is fully determined to maintain in all their force these rights and privileges, and will never permit, upon any pretext whatsoever, even an attempt to take from the minority that which the Constitution and the title of a British subject assures to all those who live under the protection of the British Flag."

I think this must satisfy you that there is no reason for alarm or even anxiety under the DeBoucherville administration, whilst its policy remains unchanged, and I have only to add, that any attempt to change it, will be at once met by myself and Dr. Church, in such a way as will ensure no change being made, till such change has had the fullest sanction of the Protestant population of this Province.

I am, yours truly,

J. B. ROBERTSON.

P.S.—I have read this over to Dr. Church, and he fully agrees with me as to the interpretation I have given above of the declarations and intentions of our Roman Catholic Colleagues, as communicated to us to-day, and asks me to state as much to you.

J. B. R.

The assurance thus given, though distinct enough as regards the Protestant, did not touch the point from whence I apprehended danger. But I thought, as I now believe unwisely, that it was safer to rest content with such pledges rather than to disturb existing political alliances, at the risk of finding the so-called Liberal Catholics equally ready to obey the behests of their Clergy. I could not forget the history of the Programme, or their union

with Bishop Bourget to defeat Sir George Cartier. I therefore withheld this correspondence from publication.

The legislation of last session at Quebec, on the School question, placing that of Roman Catholics wholly under the control of the Clergy, was not re-assuring,—but the repeated and arrogant interference of Bishops and Clergy in elections has seemed to me to threaten the civil rights of all, both Catholic and Protestant, and to require united and vigorous efforts to repress it. There is no question of religious faith involved—let any one worship God as his conscience dictates, but the Clergy, whether Protestant or Catholic, must be forbidden to interfere with secular affairs in any other character than as ordinary citizens. It is repugnant to all proper feeling that the tremendous weapons of religious anathema should be lightly used in mere secular warfare, or that the hold over the human conscience entrusted to the Minister of God, should be exercised for any other purposes than those of piety and moral purity. Nor can it be believed that such a severe and cruel pressure is put upon the consciences of our Roman Catholic fellow subjects for the paltry object of securing the ephemeral triumph of a temporary political party. The conclusion is inevitable, from the nature of the means employed, that a deep laid plan exists for the complete subjugation of Lower Canada to Ecclesiastical rule, with the view of extending the same baneful influence, hereafter, to the whole Dominion. In this view the importance of early and stern opposition to the schemes now being gradually

disclosed becomes the duty of all good citizens, be they Catholic or Protestant.

The Pastoral Letter of Monseigneur Bishop Bourget, dated 1st February, 1876, among many other extraordinary statements, contains the following, extracted from the translation in the *Montreal Herald* :—

WHAT IS CATHOLIC LIBERALISM?

Catholic Liberalism is a combination of religious and social doctrines which tend to free more or less spirits of the speculative order and citizens of the practical order from the rule which tradition had everywhere and always imposed upon them. Or rather what is Catholic Liberalism? What is Liberal Catholicism?

It is a false and dangerous sentiment; it is a factious party which conspires in fact, against the church and against civil society. A Liberal Catholic is a man who, to a certain degree, partakes of this sentiment, whether in this party or in this doctrine the more sick is he as the more Liberal; the less sick is he as he is more Catholic. Liberalism always seeks to subordinate the rights of the church to the rights of the State in the measure of prudence and high wisdom, and even to separate the church from the State where it desires a free church in a free state. Liberalism claims that the clergy is called on solely to defend religion, and that the laity have not this mission. Since that the Pope declares in his Encyclical of 1853 that the laity fulfil in that a filial duty from the moment that they combat under the direction of the clergy. Modern Liberalism pretends that religion should not leave the sacristy, nor go beyond the limits of private piety. But the Pope declares that Catholics can only efficaciously defend their rights and their liberties by actively mixing up in public affairs. By these characteristic traits you will recognize Catholic Liberalism. It is for that we have deemed it our duty to point them out to your serious consideration in order that you may better understand the definition of them which we have given you.

In order to make you understand still more clearly

we will reproduce here what the Fathers of the Fifth Provincial Council of Quebec, have said of it.

"Catholic liberalism," they say, was introduced little by little into the Holy Church and is there hidden by means of tricks and adroitness, like the ancient serpent in the terrestrial paradise, in order to lead away imprudent souls, inducing them by his artifices, to eat of the tree of knowledge of good and evil."

We leave to your serious reflection all and every word of this definition, which makes you understand that Liberalism is no other thing than the demon which, hidden under the form of the ancient serpent, and armed with his rage, his malice and his tricks, is now found in the middle of us to destroy us, as it unhappily destroyed our first parents, in despoiling us of the robe of justice and innocence, and in making us lose that faith, pure and simple, which does not reason with God and with the Church. Alas, it is for us to make ourselves guilty of arrogance and disobedience, to merit for ourselves the heaviest chastisements of divine vengeance, for them to be shamefully chased from the sanctuary of all revealed revelations by losing the faith, and to be plunged into the abyss of the greatest evils. In order to well comprehend it, it will be sufficient just to cast a glance at the horrible evils which desolate European Governments and peoples, struck with an inconceivable vertigo in punishment for their Liberalism. Thus, Christian brethren, the certainty that Catholic Liberalism is hidden among us, and the fear that this terrible monster causes not only the evils which he necessarily drags in his train are sufficient to make us tremble and make us cry out against our dangers.

* * * * *

WHAT MUST BE DONE IN ORDER NOT TO FOLLOW A FALSE
ROUTE.

In passing through these bad times, and living in these days of scandals, attach yourself with all your heart to the practical rules which we trace out for you in the presence of God and with the sole object of securing your greatest good.

1st.—Hear Jesus Christ in hearing the Church. To

this end penetrate the sacred oracles, which fell from the mouth of the Divine Master, "He who hears you hears me; he who does not hear the Church, let him be a heathen or a publican." Now, here is how we must put this rule into practice. Each one of you can and ought to say in the interior of his soul, "I hear my Cure; my Cure hears the Bishop; the Bishop hears the Pope, and the Pope hears our Lord Jesus Christ, who aids with his Holy Spirit to render them infallible on the teaching and Government of his Church. With this rule so sure, I cannot be led astray, and I am certain of marching in the way of justice and of truth.

2nd.—Bear a religious respect to all your pastors, fearing that in despising them you incur that terrible anathema, pronounced by our Lord, "He who despises you despises me;" Oh! and what words: *To despise Jesus Christ in despising His priests.* They are worthy of attention and deserve to be seriously considered. As it has just been observed he who hears the priest hears the Bishop, and he who hears the Bishop hears the Pope, hears Jesus Christ. He hears then all the clergy whose chief is Jesus Christ. In the same way, he who despises the priest despises the Bishop, he who despises the Bishop despises the Pope, and he who despises the Pope despises Jesus Christ. He despises then all the clergy whose chief is Jesus Christ. After all which has been reproduced above of the instructions given by the Pope and the Bishops against Catholic Liberalism, it is evident that the priests in their instructions regarding this detestible error, scrupulously attach themselves to the principles which are dictated to them by their pastors. It is then all the clergy who thus speak through the mouth of their members. Thus to despise this organ of the clergy, is to despise Jesus who made them His ambassadors. It is to despise the Eternal Father, who sent Jesus Christ, His only son, into the world, to teach and to save it. But how must we consider him, who, upon the hustings, be it at the polls, upon the platform, or in papers, dares to prefer insults to the person and to the character of the priest to despise, or make his words and his conduct to be despised, in order to take away from him, if it be possible, all the estimation and the consideration which he enjoys

among the people; and how ought he to be treated? We invoke to reply to it, the authority of the Holy See, against which it is not permissible for any one to reply and to make an attack.

For about three years, the Holy Congregation of the Propaganda, charged with Apostolic superintendence over this country, has been informed that certain papers allowed themselves to publish insults to the ecclesiastical authorities. The Prefect of this Holy congregation was constrained to write to the Bishops of this Province to impress upon them the necessity of doing all in their power to cause an end to be put to these unhappy discussions which could only secure the triumph of Protestants. His Eminence recommended in his letter, the Bishops to compel, if it were necessary, those who were guilty in this particular, to submit to this injunction by forbidding the faithful to read their papers. "*Curent (Episcopi) ne hujusmodi contentiones per ephemerides et libellos a catholicis exerceantur, utque eos qui in hoc deliquerent coercere, et si opus fuerit earumdem ephemeridum lectionem fidelibus prohibere non omittant.*" (Rescript of 23rd March, 1873.)

We publish herewith this rule of conduct and we order all those who have charge of souls to exactly conform themselves to it. By refusing admission to the Sacrament to all those who read or efficaciously encourage the newspapers in which they take to task or cover with insults, the shepherds of souls, because they oppose the dissemination of erroneous principles, reproved by the Sovereign Pontiff or by the early Fathers, charged by Jesus Christ to teach all people those holy doctrines which are placed in the bosom of the Church. Especially must the sacraments be refused to those editors who write such insults, and to those who employ them to edit the newspapers of which they are proprietors.

The foregoing extracts point with unfortunately too direct an aim at the absolute subjugation of the Liberal Catholics, under threats for disobedience which one is amazed to see fulminated in the nineteenth century. It would appear that unless complete abasement of mind and body,—absolute

subordination of the state to the church is yielded, the recusants are to be thrust forth as heretics from the Catholic fold.

The religious question I have no intention to discuss, but the foregoing dogmas laid down by the Bishop affect the political rights which I enjoy, and is therefore open to criticism. It is not consistent with the good government, the peace, and the prosperity of the country, that any portion of our population should be held in such bondage, and though, as a Protestant, it does not reach me, still as a citizen my rights are impugned, and my civil liberty impaired.

Our constitution provides for government by the majority ;—if that majority be elected in obedience to the dictum of the Hierarchy, what possible hope will there be for the Protestant minority to preserve their dearest interests ?

One of our cherished safeguards is the possession of certain specified constituencies, which cannot be changed, except by their own votes ; but there are many Roman Catholics in every one of these constituencies, and our safety hitherto has lain in the political divisions among them, if these are to vanish at the commands of the Hierarchy, our security is at once and for ever gone.

I do not hesitate to say that I think our thanks are due to Mr. Huntingdon for his outspoken remarks in the County of Argenteuil. They were, perhaps, politically distasteful to some of his friends, but they embodied a most serious truth, in declaring that the attitude of the Roman Catholic Hierarchy is antagonistic to the principles of civil liberty, and

involves issues of a magnitude far transcending the ordinary political questions which now separate men.

Other conservative Protestants may perceive some different and yet safe course, but for my own part, acting under the sense of responsibility for my past acts, I find but one line of duty open to me, and that is to give my hearty support and sympathy to the Liberal Catholics of Quebec. With a plain and unmistakeable declaration on the part of the Protestants that they will, equally for their Roman Catholic fellow citizens, as for themselves, resist the encroachments of the Church upon the State, it may be possible to arrest the arrogant course of Bishop Bourget and his confreres. If not, it requires no prophetic vision to predict an early agitation for the separation of the Montreal, Ottawa, and Eastern Townships districts from the Ecclesiastical tyranny of Quebec.

With very great respect for the gentlemen who have organized the Protestant Defence Association, I venture to think that it would be wiser to abandon an organization which must necessarily repel conscientious Catholics,—and considering, that it is the civil rights of free speech, a free press, and free political action, and not in any way religion itself which are endangered, I would suggest that a more general name might be adopted, and a much wider scope given to its action, so as to include within its sphere all those who desire the action of the State to be untrammelled by ecclesiastical influence and interference.

A. T. GALT.

MONTREAL, 17th February, 1876.

